



Kurt E. Floren
Agricultural Commissioner
Director of Weights and Measures

COUNTY OF LOS ANGELES

Department of Agricultural Commissioner/ Weights and Measures

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Richard K. Iizuka
Chief Deputy

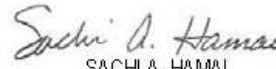
ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

March 25, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

#1 of March 25, 2014


SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

2014 BRUSH CLEARANCE/WEED ABATEMENT REFEREES' HEARING REPORT (ALL DISTRICTS) (3-VOTES)

SUBJECT

Annual abatement of hazardous vegetation is a critical component of the overall fire prevention infrastructure throughout most of Los Angeles County. The actions, which are requested of your Board in this Board Letter, are part of the legal process that is required to carry out this critical public safety function. The abatement of hazardous vegetation is completed by a joint effort of the Department of Agricultural Commissioner/Weights and Measures (ACWM) and the Consolidated Fire Protection District of Los Angeles County (District).

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY AND AS THE BOARD OF SUPERVISORS:

1. Accept the Referee Hearing Report.
2. Order ACWM and the District to enforce the removal of hazardous brush, dry grass, weeds, rubbish, combustible growth or flammable vegetation, to include native and ornamental vegetation, on improved and unimproved properties in Los Angeles County as listed on the Resolution of the Board of Supervisors approved on January 14, 2014.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Various properties, which are both improved and unimproved (vacant), were declared by prior Board resolution to contain or have the potential to contain public nuisances due to hazardous vegetation or rubbish. By accepting the Referee Hearing Report and holding this hearing, ACWM and the District will be able to take the actions necessary to cause the public nuisances to be abated if not done so by the owners of the properties upon which the unsafe conditions exist. ACWM will continue to focus primarily on the unimproved (vacant) properties and the District will continue to work towards achieving fire safety on the improved properties.

Implementation of Strategic Plan Goals

This action supports the following County Strategic Plan goals:

- Goal 1: *Operational Effectiveness* – Conducting nuisance abatement pursuant to the statutory authority of the California Health and Safety Code allows ACWM and the District to respond to hazards posed by weeds, brush, and rubbish more quickly and effectively than when using other nuisance abatement procedures.
- Goal 2: *Fiscal Sustainability* – This action allows complete cost recovery for ACWM's role in this critical public safety function and allows the District to recover costs for its enforcement efforts.
- Goal 3: *Integrated Services Delivery* – Timely removal of hazardous weeds and brush helps to protect the life and property of many residents living in the areas covered by the ACWM/District Weed and Brush Abatement Program. Equally important, the program allows for defensible space between homes and a potential brush fire thus providing for a margin of safety for firefighters attempting to defend the homes.

FISCAL IMPACT/FINANCING

There is no net County cost.

ACWM will recover its expenses for abatement costs, including clerical functions such as mailings, boundary determination, data entry, etc., through direct assessments on the property taxes of individual properties.

The District will assess fines directly to private property owners of declared improved properties if they fail to comply with two official notices to abate hazards that constitute a public nuisance. Costs for abatement enforcement services beyond the annual inspection program are recovered by direct assessments to the tax roll. The County of Los Angeles Auditor-Controller has approved abatement enforcement costs of \$648 per improved parcel.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Weed, brush and rubbish abatement is conducted pursuant to California Health and Safety Code (Code) Sections 13879 and 14875-14922. The initial step of the process was the adoption of a resolution by the Board on January 14, 2014, during which time weeds, brush and rubbish on designated properties were declared to be a public nuisance. Following the resolution, a legal notice was mailed to each property owner in the form prescribed by Section 14892 of the Code.

After the notices had been mailed, public hearings were held before the Weed Abatement and Brush Clearance Referees in Arcadia and the Antelope Valley on February 19, 2014 and February 20, 2014, respectively. Forty property owners attended the public hearings where they were given individual consultation regarding program-related issues such as:

- Why their properties have been included in the program
- When their properties need to be cleared
- What needs to be done on the property to remove the hazard or public nuisance
- The inspection fee
- Clearance costs

Property owners who have objections to having their properties included in the program may appear before the Board during this hearing, as required by Section 14898 of the Code, after which the Board may allow or overrule any or all objections and order ACWM and the District to continue with abatement proceedings.

ACWM and the District will keep an account of the cost of abatement, including enforcement and inspection fees, and will render a report containing all itemized costs of abatement charges (Report) to the Board showing the cost of abatement on each separate parcel of land. Pursuant to Section 14910 of the Code, the Board shall receive and consider the Report at a hearing on July 22, 2014, during which time the Board will hear any objections from property owners liable to be assessed for the cost of the abatement that was required.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

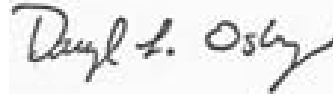
There will be no impact on current services.

The Honorable Board of Supervisor
March 25, 2014
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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kurt E. Floren', with a long horizontal stroke extending to the right.

KURT E. FLOREN
Agricultural Commissioner
Director of Weights and Measures

A handwritten signature in black ink, appearing to read 'Daryl L. Osby', with a stylized, cursive script.

DARYL L. OSBY
FIRE CHIEF, FORESTER & FIRE WARDEN

KEF:RKI:RBS:fm

Enclosures

c: Chief Executive Officer
County Counsel
Auditor-Controller